

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

TONY FISHER, aka KELLIE	)	CASE NO.: 4:19CV1169
REHANNA,	)	
	)	JUDGE SARA LIOI
Plaintiff,	)	
	)	
v.	)	
	)	<u>DEFENDANTS' MOTION FOR</u>
FEDERAL BUREAU OF PRISONS,	)	<u>EXTENSION OF TIME</u>
et al,	)	
Defendants.	)	

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), Defendants Federal Bureau of Prisons and Federal Correctional Institution-Elkton, respectfully request that this Court grant Defendants a 21-day extension of time, until October 8, 2020, within which to file their answer in this case. Defendants' answer currently is due on September 17, 2020. Good cause exists for the requested extension of time.

Defendants seek this extension because additional time is necessary for counsel to obtain information from and coordinate with the client agency in order to respond appropriately to the Complaint. Attorneys at Main Justice recently assumed responsibility for personally handling this lawsuit, and additional time is needed for substitution of counsel and for counsel to get up to speed on the case. In addition, as the Court recognized in its order granting in part and denying in part Defendants' motion to dismiss, "[e]ven though Fisher's complaint, with exhibits is over 400 pages in length, the precise nature of Fisher's claims and requested relief is unclear." ECF No. 31 at 4. Additional time is necessary to parse the allegations in Plaintiff's Complaint, including determining which allegations are still operative in light of the Court's dismissal order.

This is Defendants' first motion for extension of time to file its answer, and is not interposed for purposes of delay.

Due to the timing of this motion, Defendants' counsel has not had the opportunity to contact Plaintiff, who is a *pro se* inmate. Defendants apologize for this oversight and, going forward, Defendants' counsel will make every effort to ensure that conferral between the parties occurs.

For all of the foregoing reasons, Defendants respectfully requests that this Court grant an extension of time through and including October 8, 2020, within which to file their answer.

Respectfully submitted,

JUSTIN E. HERDMAN  
United States Attorney  
Northern District of Ohio

By: s/Marlon A. Primes  
MARLON A. PRIMES (#0043982)  
Assistant U.S. Attorney  
United States Court House  
801 West Superior Avenue, Suite 400  
Cleveland, Ohio 44113-1852  
(216) 622-3684  
(216) 522-4982 - Facsimile  
[Marlon.Primes@usdoj.go](mailto:Marlon.Primes@usdoj.go)

CERTIFICATE OF SERVICE

I hereby certify that an original and one copy of the foregoing *Defendant's Motion for Extension of time* was served by regular U.S. Mail, and one copy via e-mail, on this 17<sup>th</sup> day of September, 2020 upon:

Tony Fisher aka Kellie Rehanna  
PRO SE  
#70313-061  
FCI Elkton  
Federal Correctional Institution  
P.O. Box 10  
Lisbon, OH 44432  
USA

s/Marlon A. Primes  
MARLON A. PRIMES (#0043982)  
Assistant U.S. Attorney